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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
ATTEICATION NO.	TIGING DATE	TROT WHILD HAVENTOR	THE FORMAL POCKET NO.	CONTINUAL TOTAL		
10/743,735	12/24/2003	Kenji Yamamoto	246929US3	9681		
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22850	7590 02/09/2006		EXAMINER			
OBLON, SP	IVAK, MCCLELLAND	, MAIER & NEUSTADT, P.C.	TURNER, ARCHENE A			
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ALEXANDR	IA, VA 22314		ART UNIT	PAPER NUMBER		
	•		1775			

DATE MAILED: 02/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☒ All b) ☐ Some * c) ☐ None of: 1. ☒ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.					*//		
Examiner Art Unit Archene Turner Art Unit Archene Turner - The MALLING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In a event, however, may a reply be timely filed after SVR, (8) MONTHS from the mailing date of the communication. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In a event, however, may a reply be timely filed after SVR, (8) MONTHS from the mailing date of this communication. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In a covent, however, may a reply be timely filed. After SVR, (8) MONTHS from the mailing date of this communication. Fallows be reply within the safe of extended principle for reply will, by statistic, cause the application to become ABANDONED (38 U.S.C. § 133). Any reply received by the Office atter than three menting date of this communication, even if firmely filed, may reduce any events of the mailing date of this communication, even if firmely filed, may reduce any events of the mailing date of this communication, even if firmely filed, may reduce any events of the mailing date of the communication. 1) ☐ Responsive to communication(s) filed on 18 November 2005. 2a) ☐ This action is FINAL. 2b) ☐ This action is filed to 18 November 2005. 2a) ☐ This action is FINAL. 2b) ☐ Shape 2d Part 2			Application No.	Applicant(s)			
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1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413)	 a) ⊠ All b) □ Some * c) □ None of: 1. ⊠ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). 						
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date	1) Notice 2) Notice 3) Inform	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	Paper No. 5)	s)/Mail Date Informal Patent Application (PTO-152)			

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Art Unit: 1775

1. Applicant's election with traverse of Group I in the reply filed on 11/18/05 is acknowledged. The traversal is on the ground(s) that there would not be any undue burden if all the claims were examined together. This is not found persuasive because the examiner disagrees the search for one group is NOT the same search for the other group and it would be burdensome for the examiner.

The requirement is still deemed proper and is therefore made FINAL.

- 2. Claims 6,11,18 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 11/18/05.
- 3. The following is a quotation of the second paragraph of 35 U.S.C. 112:
 The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 4. Claims 12-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The language of claim 12 is confusing rendering the claims indefinite and there is no antecedent basis of 'the substrate' in claim 15.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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Art Unit: 1775

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States
- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 6. Claims 1-5,7-10,12-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Inspektor (6,593,015).

Inspektor discloses the claimed boron carbide and boron nitride coating on a substrate through the claimed interlayers.

7. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Doll (6,517,249)

Doll discloses the claimed boron carbide coating on a substrate through the claimed interlayers.

8. Claims 1-5,7-10,12-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Ebersbach (DD 148349) or Fabian d (DD 155826) or Laboratoire Suisse de Researches Horlogeres (GB 1284030 or DE 2018662) or Inspektor (EP 0 892861). Inspektor discloses the claimed boron carbide and boron nitride coating on a substrate through the claimed interlayers.

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9. Claims 1-5,7-10,12-17 are rejected under 35 U.S.C. 102(a) as being anticipated by Fraunhofer Ges Foerderung Angewandten (EP 1038 044).

Fraunhofer Ges Foerderung Angewandten discloses the claimed boron carbide coating on a substrate through the claimed interlayers.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Archene Turner whose new telephone number is (571) 272-1545. The examiner can normally be reached on Monday, Wednesday through Friday from 10:30 am. to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Jones can be reached on (571) 272-1535. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Please remember to include on the fax, the art unit 1775, serial number and Examiner's name.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ÁRCHENETURNER PRIMARY EXAMINER